



135 River Road • Woolwich, ME 04579
207-837-2199 • tim@atlanticenviromaine.com
www.atlanticenviromaine.com

August 10, 2020

Mr. Alex Jaegerman, Director of Planning & Development
Town of Yarmouth
200 Main Street
Yarmouth, ME 04096

Re: Shoreland Zoning Permit Application for a Seasonal Dock consisting of a Ramp and Float
located at 164 Whites Cove Road in Yarmouth, Maine

Dear Mr. Jaegerman,

On behalf of Kathryn Knight-Wise, Atlantic Environmental, LLC (AE) is pleased to submit a Shoreland Zoning Permit Application for a seasonal dock consisting of a three (3) foot wide by thirty-five (35) foot long seasonal ramp and a ten (10) foot wide by ten (10) foot long float. The ramp and float will be in place for less than seven (7) months and stored in an upland location on the Applicant's property during the off-season. The dock will provide recreational water access to Casco Bay and adjacent coastal waters (see Location Map).

The Applicant's property is located in the Low Density Residential (LDR) and the Shoreland Overlay District (SOD). AE has reviewed Article II, Section R of the Town of Yarmouth's Zoning Ordinance and believes the project is in compliance with these standards. Please review the attached information demonstrating compliance with these Articles. The Applicant has submitted an application to the Army Corps of Engineers (ACOE) and relevant sections of those applications are included in the attached application materials, including a copy of the ACOE permit.

Thank you in advance for your consideration of this Application. If you require any additional information or clarifications, please feel free to contact me at 207 - 837 - 2199 or by email at tim@atlanticenviromaine.com.

Sincerely,
Atlantic Environmental LLC.

A handwritten signature in black ink that reads 'Timothy A. Forrester'.

Timothy A. Forrester, Owner

TOWN OF YARMOUTH

200 Main Street

Yarmouth, Maine 04096

(207)846-2401

WWW.YARMOUTH.ME.US

Fax: (207)846-2438

SHORELAND ZONING PERMIT APPLICATION

PERMIT # _____ ISSUE DATE _____ FEE AMOUNT _____

Date: 8/10/2020 Zoning District LDR and SZ Map 3 Lot 20 Ext _____

APPLICANT NAME: Atlantic Environmental, LLC c/o Tim Forrester PHONE NO: (207) 837 - 2199

MAILING

ADDRESS: 135 River Road Woolwich, ME 04579 e-mail tim@atlanticenviromaine.com

OWNER (other than applicant)

NAME: Kathryn Knight-Wise PHONE NO: (207) 318 - 1743

MAILING

ADDRESS: 164 Whites Cove Road Yarmouth, ME 04096 e-mail kc@ltsmaine.com

CONTRACTOR

NAME: Custom Floats PHONE NO: (888) 844 - 9666

MAILING

ADDRESS: 11 Wallace Avenue South Portland, ME 04106 e-mail cpoole@customfloat.com

PROPERTY

LOCATION: 164 Whites Cove Road

Applicant must also include a narrative of the project including a description of all proposed construction, (E.G. Land clearing, road building, septic systems and wells – Please note: A site plan sketch is required on a separate sheet of paper no less than 11" x 17" or greater than 24"x36"

Please note: Plan set must be bound (not rolled) with a cover sheet and index.

Proposed use of project: Residential

Estimated cost of construction \$15,000

Lot area (sq. ft.) 8,712 sq. ft.

Frontage on Road (FT) +/- 90 ft.

SQ. FT. of lot to be covered by non-vegetated surfaces No additional sq. ft.

Elevation above 100 YR Flood Plain N/A

Frontage on water body (FT.) +/- 75 ft.

Height of proposed structure Ramp will be pinned to ledge

Existing use of property Residential

Proposed use of property Residential

Note: NEXT Questions apply only to expansions of portions of existing structures that are less than the required setback.

- A) Total building footprint area of portion of structure that is less than required setback as of 1/1/89: N/A SQ.FT.
- B) Actual shore setback of existing structure proposed for expansion (measured as required in SOD, e.g.: Highest Annual Tide; Upland Edge of Coastal Wetland; Top of Bank (RP); Normal High Water Line of rivers and streams; as applicable): Water Dependent
- C) Building footprint area of expansions of portion of structure that is less than required setback from 1/1/89 to present: N/A SQ.FT.
- D) Building footprint area of proposed expansion of portion of structure that is less than required setback: N/A SQ.FT.
- E) % Increase of building footprint of previous and proposed expansions of portion of structure that is less than required setback since 1/1/89: % increase = $((C+D) \times 100) / A =$
N/A %
- F) Floor Area and Market Value of Structure prior to improvements: (a) Area: N/A
Value: . Floor Area and Market Value of portions of Structure removed, damaged or destroyed: (b) Area: Value: . If the floor area or market value of (b) exceeds 50% of the area or value of (a), then the Relocation provisions of Article IV.R.5.a.(3) and (4) shall apply. **Note:** A value appraisal may be required or submitted in close cases where the applicant asserts that that 50% trigger and relocation assessment provision is not met. **Any plan revisions after initial approvals to replace rather than renovate building components (foundations, framing, etc.) shall be required to re-calculate the extent of removal, damage or destruction relative to retained structure.**
- ☒ Please provide a site plan to include lot lines, area to be cleared of trees and other vegetation; the exact position of proposed structures, including decks, porches, and out buildings with accurate setback distances from the shoreline, side and rear property lines; the location of proposed wells, septic systems, and driveways; and areas and amounts to be filled or graded. If the proposal is for the expansion of an existing structure, please distinguish between the existing structure and the proposed expansion.
- ☒ Note: For all projects involving filling, grading, or other soil disturbance you must provide a soil erosion control plan describing the measures to be taken to stabilize disturbed areas before, during and after construction.
- ☒ Draw a simple sketch showing both the existing and proposed structures with dimensions.

SHORELAND ZONING PERMIT CHECKLIST

Please note that this checklist is intended to help applicants identify major submittal components but it is the applicant's responsibility to review the SOD/RP provisions outlined in Chapter 701 of the Yarmouth Code and provide all required information as well as conform to all design components. Copies of Chapter 701 are available at the Yarmouth Town Hall or can be downloaded on the Town website which is www.yarmouth.me.us.

- ☒ Complete Shoreland Zoning Permit application including signatures of property owners and agents.
- ☒ Appropriate fee.
- ☒ Square footage of lot area within the 250' SOD Entire lot is within SOD (8712 sq. ft.)
- ☒ Square footage and % of lot covered by non-vegetated surfaces within the SOD 205 sq. ft.
- ☒ Square footage and % of cleared area within lot area within the SOD N/A
- ☒ Delineation of 75' setback from upland edge of the coastal wetland
- ☐ Delineation of 250' SOD line from upland edge of the coastal wetland. Extends beyond project boundary
- ☒ Delineation of Resource Protection District
- ☐ Height of any proposed structures as measured between the mean original grade at the downhill side of the structure and the highest point of the structure N/A
- ☐ Building elevations of any proposed structures as viewed from side and rear lot lines N/A
- ☒ % Increase of expansions of portion of structure which is less than the required setback (if applicable)
- ☐ Floor Area and Market Value of Structure prior to improvements: (a) Area: N/A
Value: N/A Floor Area and Market Value of portions of Structure removed, damaged or destroyed: (b) Area: N/A Value: N/A
- ☐ Elevation of lowest finished floor to 100 year flood elevation N/A
- ☐ Evidence of submission of the application to the Maine Historic Preservation Commission (MHPC) at least twenty (20) days prior to the Planning Board meeting as required in Article IV.R.O
- ☒ Copy of additional permit(s) if applicable:
 - Planning Board (e.g. Subdivision, Site Plan Review)
 - Board of Appeals
 - Flood Hazard
 - Exterior plumbing permit (Approved HHE 200 Application Form)
 - Interior plumbing permit
 - DEP permit (Site Location, Natural Resources Protection Act)
 - Army Corps of Engineers Permit (e.g. Sec. 404 of Clean Waters Act)
- ☒ Please circle all habitat types, marine organisms and shoreline elements present:
(Sand beach) (boulder/cobble beach) (sand flat) (mixed coarse & fines) (salt marsh)
(ledge) (rocky shore) (mudflat) (sediment depth if known) (Bluff/bank) (Mussels) (clams)
(marine worms) (rockweed) (eelgrass) (lobsters) (other _____)
- ☒ Signs of intertidal erosion? (Yes) (no)
- ☒ Energy: (protected) (semi-protected) (partially exposed) (exposed)
- ☒ Copy of deed
- ☒ Soil erosion control plan
- ☒ Photographs
- ☒ Plan view

NOTE: Applicant is advised to consult with the CEO and appropriate state and federal agencies to determine whether additional permits, approvals, and reviews are required.

CONDITIONS OF APPROVAL

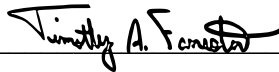
The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.

I certify that all information given in this application is accurate. All proposed uses shall be in conformance with this application and the Town of Yarmouth Shoreland Regulations in the Zoning Ordinance. I agree to future inspections by the Code Enforcement Officer / Planning Director / Planning Board members (as applicable) at reasonable hours and with advance notice.

“I authorize appropriate staff within the Yarmouth Planning Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to collect facts pertaining to my application.”

Applicant Signature _____

Date _____

Agent Signature  _____
(if applicable)

Date 8/10/2020

Code Enforcement Officer _____

DATE OF APPROVAL / DENIAL OF APPLICATION _____
(by either staff or planning board)



135 River Road • Woolwich, ME 04579
207-837-2199 • tim@atlanticenviromaine.com
www.atlanticenviromaine.com

July 24, 2020

To whom it may concern:

By this letter, I authorize Atlantic Environmental LLC to act on my behalf as my Agent for the preparation and submission of all federal, state, and local town or city permit applications and relevant documents and correspondence related to the installation of a seasonal ramp at 164 Whites Cove Road in Yarmouth, Maine. This authorization includes attending meetings and site visits, appearing before all boards, commissions, and/or committees, and providing other services as required for completing the aforementioned tasks.

Thank you for the opportunity to work with you on this project. Should you have any additional questions, please do not hesitate to contact me at 207-837-2199 or via email at tim@atlanticenviromaine.com.

Kathryn Knight-Wise
Print Name

[Signature]
Signature

July 28, 2020
Date

Sincerely,
Atlantic Environmental LLC.

[Signature]

Timothy A. Forrester, Owner

PROJECT PURPOSE AND DESCRIPTION

The Applicant owns a parcel of land that is approximately 0.2 acres in size and is located adjacent to Casco Bay in the Town of Yarmouth, Maine. The Applicant would like seasonal access to the bay and adjacent waters for recreational purposes. In order to meet this project purpose, the Applicant proposes to construct a seasonal dock on their property that will provide partial-tide access to Casco Bay. The proposed seasonal dock consists of a three (3) foot wide by thirty-five (35) foot long ramp that will begin in the upland and will be pinned to exposed ledge. The ramp will connect to a ten (10) foot wide by ten (10) foot long float. During the off-season, all structures will be stored in an upland location on the Applicant's property.

In accordance with the Army Corps of Engineers guidelines for "*Structures, Floats, and Lifts*," the following design standards are proposed:

- 1) The floats will be supported a minimum of 18" above the substrate during all tides.
- 2) The structures and floats will not be located within 25' of any eelgrass.
- 3) The float will be two hundred (200) square feet in size.
- 4) The structure does not extend across >25% of the waterway width at mean low water.
- 5) The project is not located within the buffer zone of the horizontal limits of a Corps Federal Navigation Project.

The Applicant has included an official species list from the U.S. Fish and Wildlife Service; however, the construction of the dock does not require any trees to be cut. In summary, the purpose of the proposed dock is to provide reasonable tidal access to Casco Bay for recreational pursuits and has been designed to minimize impacts to coastal waters.

Town of Yarmouth

Chapter 701: Zoning Ordinance

Article II, Section R – Docks, Piers, Wharves, Moored Floats, Breakwaters, Causeways, Marinas, Bridges over 20 feet in length, and Uses Projecting into Waterbodies.

Standards of Review:

a. The Permitting Authority may require the applicant to submit an environmental impact analysis assessing the proposal's potential impact on natural areas, including cumulative impacts of the proposed structure in conjunction with other structures. **The intertidal at the site of the proposed project contains exposed ledge, rockweed covered ledge, fringing marsh vegetation, and mudflats. The ramp will be pinned to ledge and will not result in measurable impacts to the coastal wetland.**

b. Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion. **The proposed structures will begin in the upland and extend in an easterly direction. No large machinery will operate in the coastal wetland. The project does not involve excavation or earth moving. The Applicant does not anticipate any adverse causes of erosion or sediment.**

c. The location shall not interfere with developed beach areas, moorings, and points of public access or other private docks. **The proposed location is not located over a developed beach area or within existing moorings. No points of public access will be impacted by the proposed dock. There are private docks in the project vicinity; however, the proposed dock is located within the riparian lines of their property and will not interfere with the existing docks.**

d. The facility shall be located and constructed so as to create minimal adverse effects on fisheries, existing scenic character, or areas of environmental significance, such as: clam flats, eel grass beds, salt marshes, mussel bars and regionally, statewide and national significant wildlife areas as determined by Maine Department of Inland Fisheries and Wildlife (I.F.W.). **The proposed dock has been positioned to provide reasonable tidal access and will be located over exposed ledge, rockweed covered ledge, and, mudflats. According to the 2013 Maine Department of Environmental Protection's Eelgrass survey map, eelgrass is not located at the project site. The ramp and float will be in place on a seasonal basis and elevated over the substrates during all tides. The project has been reviewed and approved by the US Fish and Wildlife Service (USFWS). There are numerous docks within the vicinity of the proposed project area and the proposed dock will be similar in size and design. Given these factors, the Applicant does not anticipate there will be adverse effects on fisheries, existing scenic character, or areas of environmental significance.**

e. The activity will not unreasonably interfere with the natural flow of any surface or subsurface waters or impede the navigability of a river or channel. In making a determination regarding potential impediments to navigation, the Permitting Authority may request comments from the Harbor and Waterfront Committee. **The proposed dock will be elevated and will not**

unreasonably interfere with the natural flow of any surface or subsurface waters or impede the navigability of a river or channel.

f. The facility shall be no larger in height, width or length than necessary to carry on the activities and be consistent with the surrounding character, and use the area. A temporary pier, dock or wharf in Non Tidal waters shall not be wider than six (6) feet for non-commercial uses. **The Applicant is proposing a dock that is consistent with existing docks that are located within the surrounding area. The proposed length allows the float to land beyond the rockweed-covered ledge. The proposed width allows the Applicant to carry watercraft and other recreational supplies to access the water.**

g. New permanent piers and docks on Non Tidal waters shall not be permitted unless it is clearly demonstrated to the Permitting Authority that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the Natural Resources Protection Act. **The proposed dock is located on tidal waters.**

h. Areas, such as, but not limited to: high intensity uses as in cooperative or community docks, need for handicap access, or unusual wind and tide conditions requiring a larger float for stability. **The Applicant does not propose a float larger than the dimensional requirement listed in #4 below.**

i. No more than one pier, dock, wharf or similar structure extending or located below the normal high-water line of a water body or within a wetland is allowed on a single lot; except that when a single lot contains at least twice the minimum shore frontage as required, a second structure may be allowed and may remain as long as the lot is not further divided. **The Applicant does not propose more than one dock on their property.**

j. Vegetation may be removed in excess of the standards in Article IV.R. 7.(k) of this ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Permitting Authority. Construction equipment must access the shoreline by barge when feasible as determined by the Permitting Authority.

i. When necessary, the removal of trees and other vegetation to allow for construction equipment access to the stabilization site via land must be limited to no more than 12 feet in width. When the stabilization project is complete the construction equipment access way must be restored.

ii. Revegetation must occur in accordance with Article IV. R. Section 7 (n) of this ordinance.

The proposed dock does not require the removal of vegetation in excess of the standards of Article IV.R.7.(k).

4. The following maximum dimensional requirements shall apply for private docks, located outside of the WOC, WOC II, WOCIII, GD, and Industrial Zones. The requirements for ramp and

float size may be waived by the Planning Board if it finds that the proposal has special needs requiring additional area, such as, but not limited to; high intensity uses as in cooperative or community docks, need for handicap access, or unusual wind and tide conditions requiring a larger float for stability. Maximum Pier width shall not be waived.

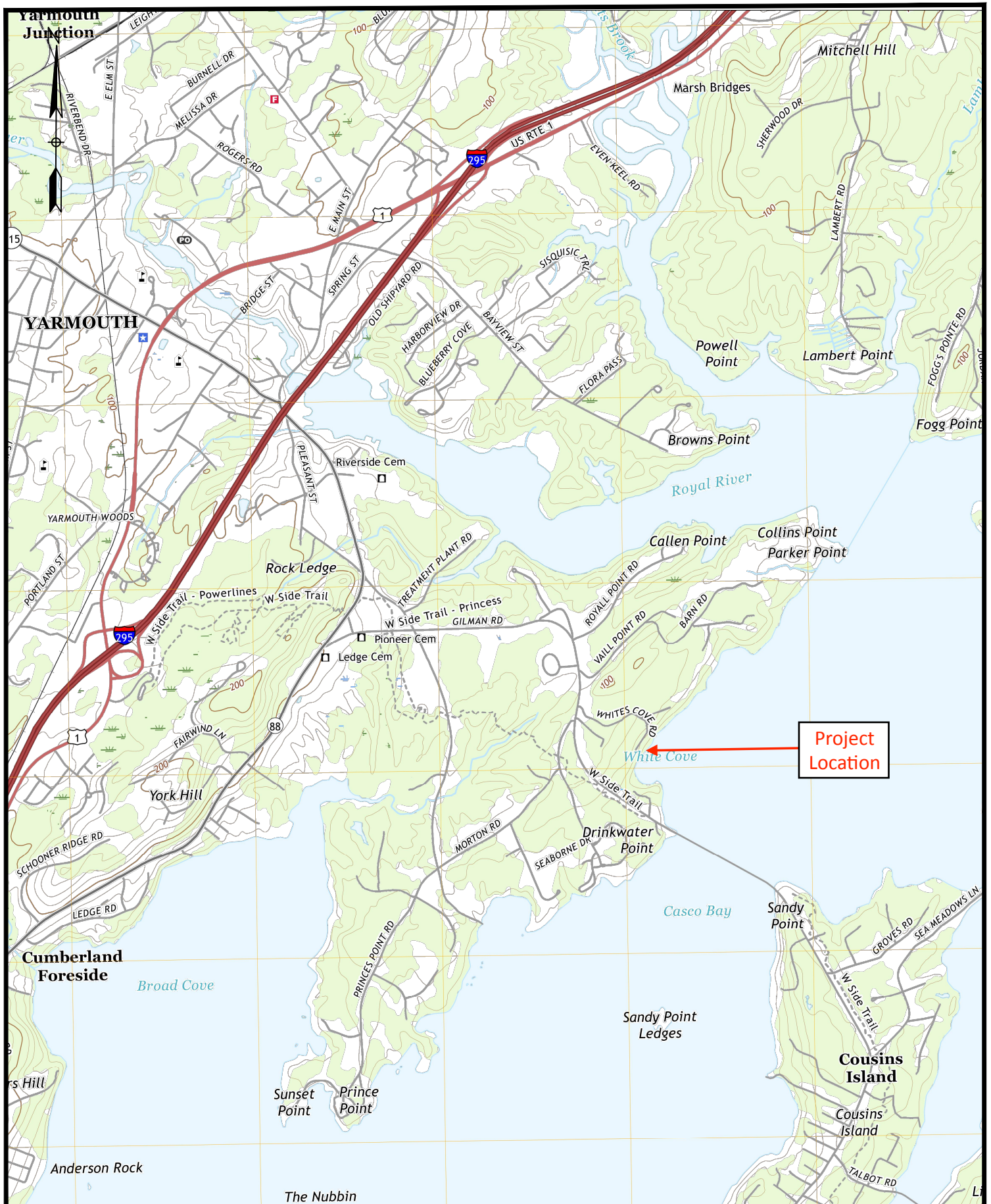
a. Pier: Six (6) feet in overall width

b. Ramp: Three and one half (3.5) feet in width

c. Float: Three hundred twenty (320) square feet.

The proposed dock meets the dimensional requirements. The ramp will be three (3) feet in width and the float will be one hundred (100) square feet.

5. MITIGATION The Permitting Authority may require a mitigation of adverse impacts and may impose any reasonable conditions to assure such mitigation as is necessary to comply with these standards. For the purpose of this Section, "mitigation" means any action taken or not taken to avoid, minimize, rectify, reduce, eliminate or compensate for any actual or potential adverse impact on the significant environmental areas, including minimizing an impact by limiting the dimensions of the Structure and type of materials used; the magnitude, duration, or location of an activity; or by controlling the time of an activity. **The Applicant is proposing a recreational dock that will provide reasonable tidal access to Casco Bay and adjacent waters. In addition, the ramp and float will be in place on a seasonal basis and stored outside the coastal wetland during the off-season.**



ATLANTIC ENVIRONMENTAL LLC.
 Environmental Consultants
 135 River Road, Woolwich, ME 04579
 (207) 837-2199
 tim@atlanticenviromaine.com

Date: 7/24/2020
Revised:
Project: Knight-Wise, Yarmouth
Drafted By: ---

PROJECT LOCATION
 164 Whites Cove Road, Yarmouth, Maine
 Maine Atlas & Gazetteer
 Map 6 (Section D-1)
 43.779902, -70.154275

Sheet
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 of
 1

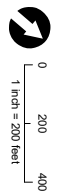
Assessors
Maps



- Property Boundary
- Paper Streets
- Water Body
- Map Number

Sample Property Label

Lot 3
Unit 31
1.2 Acres



The Town of Winnetka shall not be held liable for discrepancies in land ownership based on the purpose only. Maps revised to 2019

Knight-Wise Zoning Map



8/10/2020, 10:06:33 AM

- | | | |
|----------------------------|-------------------------|------------------------|
| Parcel ID's | Zoning | Contours (2 Foot) |
| Parcels | Low Density Residential | Parcels Mailing Labels |
| Shoreland Overlay District | Resource Protection | |

1:564

0 0 0.01 0.01 mi

0 0.01 0.01 0.02 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS,

Public User
Town of Yarmouth

PHOTOGRAPHS

The following photographs are taken from the site of the project and represent the proposed location of the seasonal dock located at 164 Whites Cove Road in the Town of Yarmouth, ME.



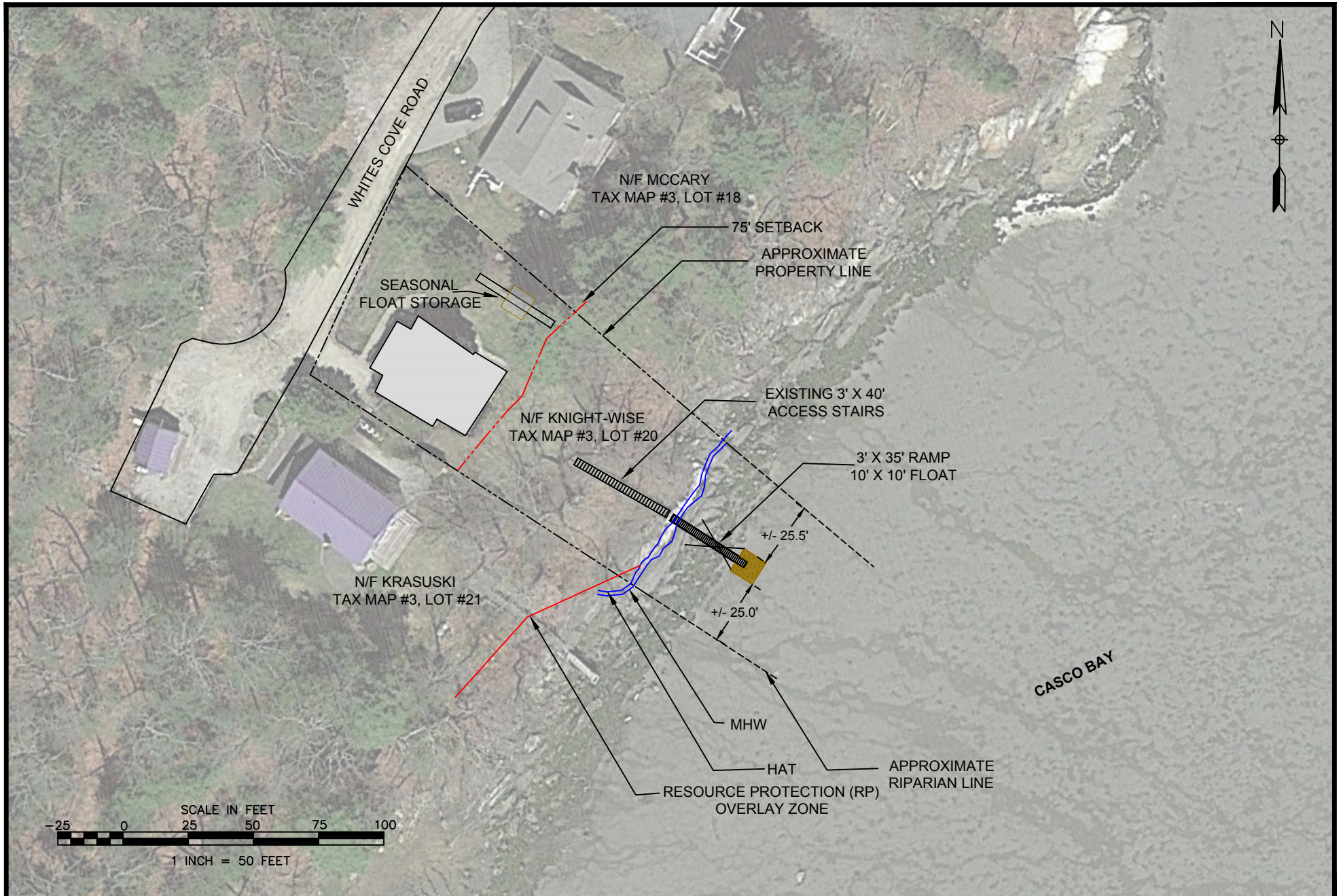
Photograph One. Aerial View of Project Site. Red arrow indicates approximate location of dock. Source: Google Earth. Date: May 4, 2018.



Photograph Two. Facing southerly - view of ledge where ramp will connect. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: June 26, 2020.



Photograph Three. Facing easterly – additional view of intertidal in location of proposed dock. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: June 26, 2020.

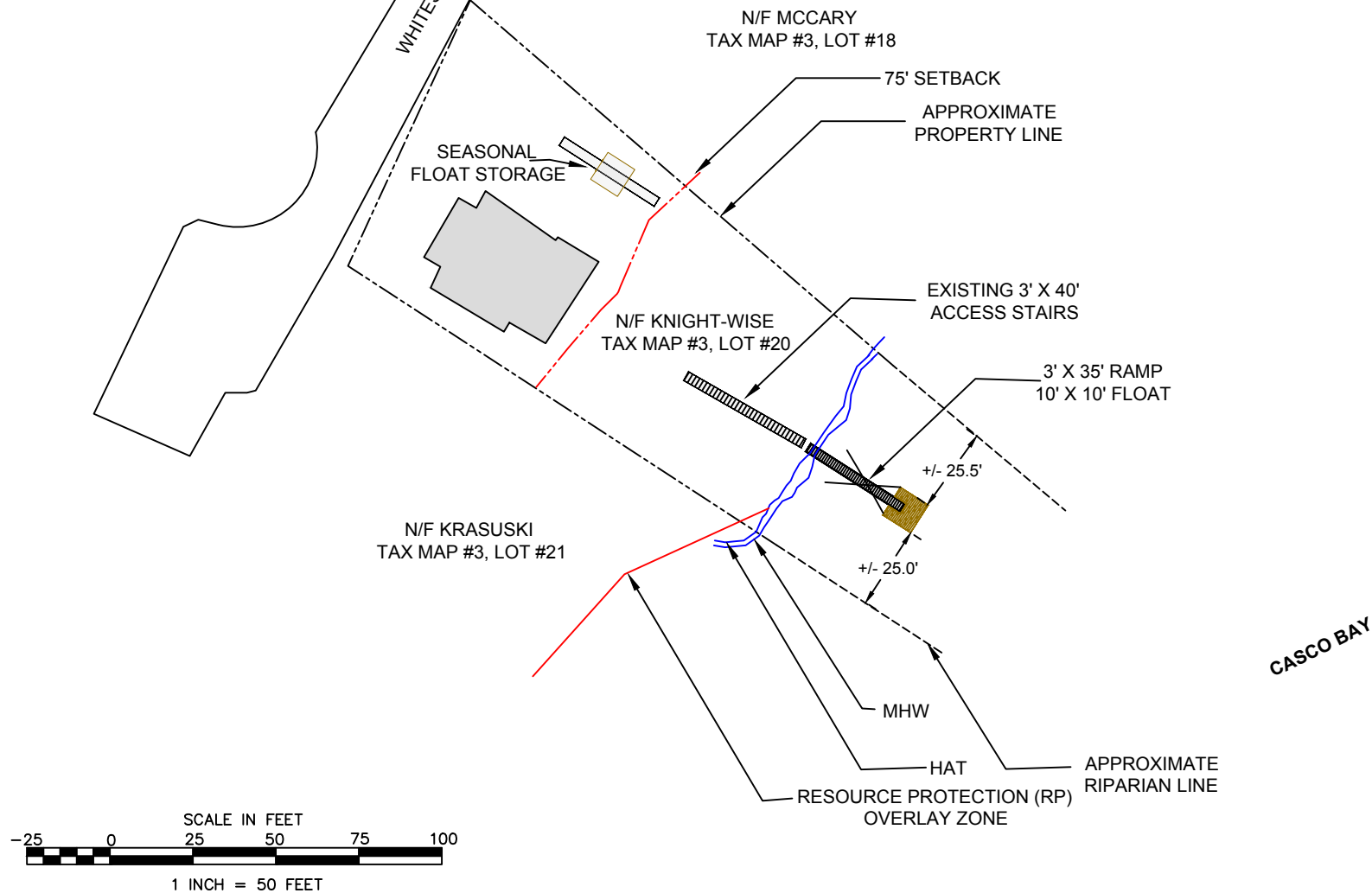


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tim@atlanticenviromaine.com

Date: 7/24/2020
Revised:
Project: Knight-Wise, Yarmouth
Drafted By: TAF/LCV

Plan View of the Proposed Dock for Kathryn Knight-Wise located at 164 Whites Cove Road in Yarmouth, Maine.

Sheet
1
of
3



ATLANTIC ENVIRONMENTAL LLC.
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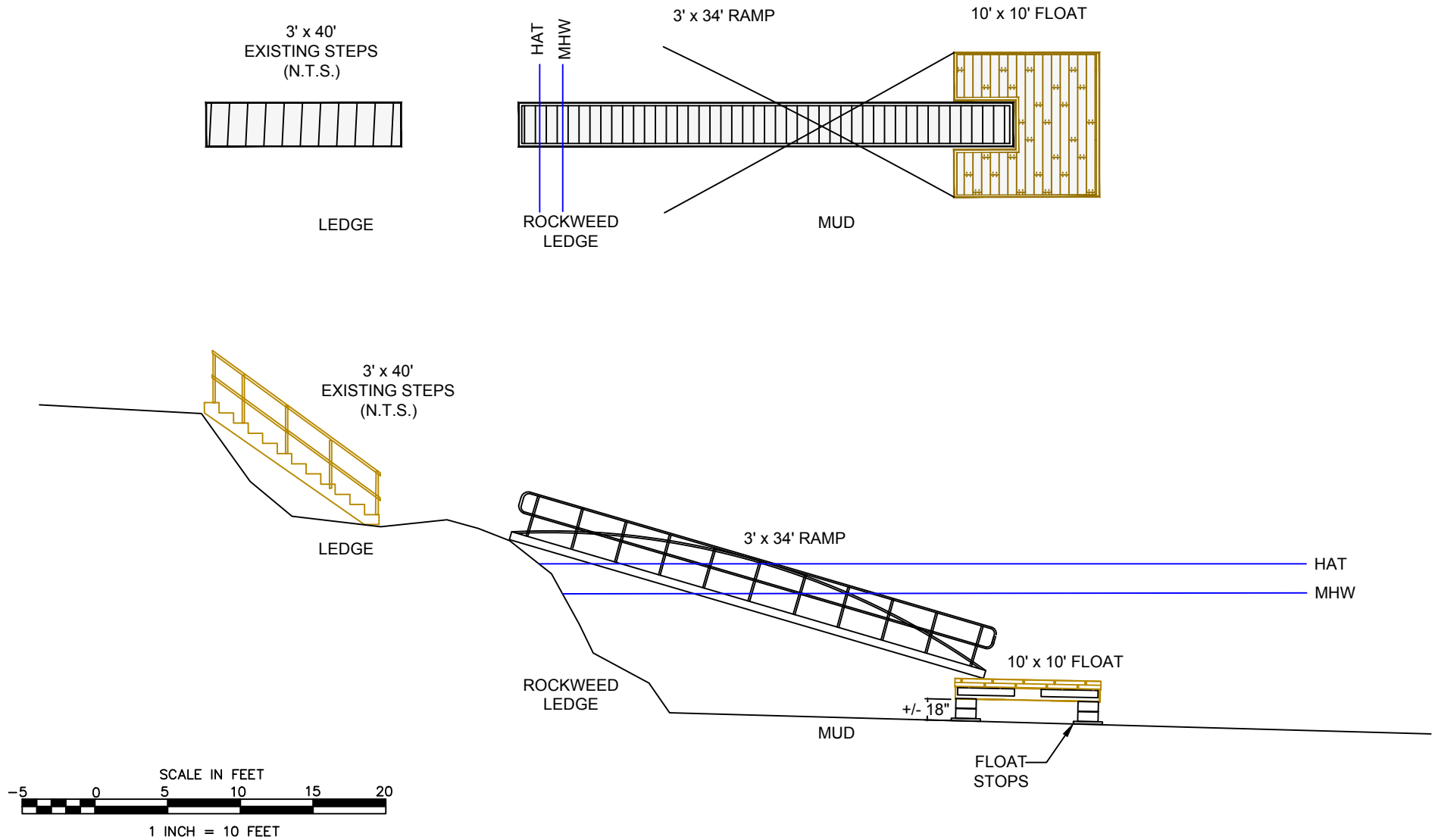
Date: 7/24/2020
Revised:
Project: Knight-Wise, Yarmouth
Drafted By: TAF/LCV

Plan View of the Proposed Dock for Kathryn Knight-Wise located at 164 Whites Cove Road in Yarmouth, Maine.

Sheet
2
of
3

NOTES:

- 1) ALL PT LUMBER WILL BE CURED IN THE UPLAND FOR 21 DAYS PRIOR TO INSTALL.
- 2) RAMP WILL BE PINNED TO LEDGE.
- 3) RAMP AND FLOAT WILL BE REMOVED IN THE OFF-SEASON AND STORED IN THE UPLAND.
- 4) FLOAT WILL BE SECURED IN PLACE WITH CHAINS PINNED TO LEDGE.



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 Environmental Consultants
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 tim@atlanticenviromaine.com

Date: 7/24/2020
 Revised:
 Project: Knight, Yarmouth
 Drafted By: TAF/LCV

Plan View of the Proposed Dock for Kathryn Knight Wise located at 164 Whites Cove Road in Yarmouth, Maine.

Sheet
 3
 of
 3

EROSION CONTROL PLAN

The dock involves minimal excavation and/or earth moving and all work will be conducted at low tide. The ramp and float will be constructed off-site and set in place by pinning the ramp to ledge. Given that minimal sedimentation, if any, will occur for the construction of the dock, no formal measures are proposed to control erosion or sedimentation.

At the completion of construction of the dock, if there are any areas of soil disturbance, they will be stabilized with vegetation and mulch in accordance with the Department's permanent soil stabilization BMPs published in the most recent version of the Maine Erosion and Sediment Control BMPs manual.

QUITCLAIM DEED*(Maine Statutory Short Form)***DLN: 1001840028302**

KNOW ALL PERSONS BY THESE PRESENTS, that, Kathryn Knight-Wise of Yarmouth, ME, for consideration paid, hereby GRANTS to Kathryn Knight-Wise and John P. Wise, whose mailing address is 164 Whites Cove Road, Yarmouth, ME 04096, as joint tenants, with QUITCLAIM COVENANTS, the land with any buildings thereon situated at 164 Whites Cove Road, Yarmouth, County of Cumberland and State of Maine, described as follows:

See Attached Exhibit A

Meaning and intending to convey the same premises conveyed to Kathryn Knight-Wise by virtue of a deed from Philip G. Boyle, Trustee of The Philip G. Boyle 2001 Trust and Barbara G. Boyle, Trustee of The Barbara G. Boyle Revocable Trust dated May 29, 2018 and recorded in the Cumberland County Registry of Deeds in Book 34867, Page 292.

Witness my hand and seal this 29 day of May, 2018.

Witness

Kathryn Knight-Wise
Kathryn Knight-Wise

STATE OF MAINE
COUNTY OF Cumberland

May 29, 2018

Then personally appeared before me the above named Kathryn Knight-Wise and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Heather M. Dow

Notary Public/ Attorney **HEATHER M. DOW**

Printed Name:

NOTARY PUBLIC - State of Maine

My Comm. Exp:

**My Commission Expires
August 27, 2022**

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, at White's Cove, in the Town of Yarmouth, County of Cumberland and State of Maine, and described as follows:

Beginning at a stake on the shore of Casco Bay at the easterly corner of the Annie Griffin lot or formerly owned by her; thence northwesterly along the easterly line of said Griffin land ten (10) rods, to a stone corner on the Cottage Road, so-called; thence North 57° 5' East eighty-six (86) feet and two (2) inches to a corner; thence South 42° East to the shore of said Casco Bay; thence along said shore in a southwesterly direction to the point of beginning.

Also conveying an easement or right of way appurtenant to the above-described premises for purposes of access and the installation and maintenance of utilities over the existing private way known as White's Cove Road extending from the Gilman Road to the above described premises. The warranty covenants set forth herein, however, are excluded from the grant of the aforementioned easement or right of way.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

KATHRYN KNIGHT-WISE
164 WHITES COVE ROAD
YARMOUTH, ME 04096

CORPS PERMIT # NAE-2020-02036
CORPS GP ID# 20-433
STATE ID# NRPA/IND

DESCRIPTION OF WORK:

To install and maintain a seasonal 3' x 35' ramp leading to a 10' x 10' float with associated mooring tackle below the mean high water (MHW) line of Casco Bay (Whites Cove) at 164 Whites Cove Road, Yarmouth, Maine. This work is described on the attached plans entitled "Knight-Wise, Yarmouth" on 2 sheets and "Knight, Yarmouth" on 1 sheet dated "07/24/2020". See Conditions

LAT/LONG COORDINATES: 43.779902 N -70.154275 W USGS QUAD: YARMOUTH, MAINE

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the Federal Permit, the Maine General Permit which can be found at: <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/>. Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 38 of the GP (page 16) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 13, 2020. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 13, 2021.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. **This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.**

II. STATE ACTIONS: PENDING [☒], ISSUED [☐], DENIED [☐] DATE _____

APPLICATION TYPE: PBR: _____ TIER 1: _____, TIER 2: _____, TIER 3: _____; INDIV ☒ LURC: _____ DMR LEASE: _____ NA: _____

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: August 6, 2020 LEVEL OF REVIEW: CATEGORY 1: _____ CATEGORY 2: X

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 X, 404 _____, 10/404 _____, 103 _____

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO, USF&WS NO, NMFS NO

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Augusta, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

STUKAS.HEATHER.1573477649

Digitally signed by STUKAS.HEATHER.1573477649
Date: 2020.08.07 07:38:23 -0400

HEATHER S. STUKAS
PROJECT MANAGER
MAINE PROJECT OFFICE

DELGIUDICE.FRANK
J.1228916567

Digitally signed by DELGIUDICE.FRANK.J.1228916567
Date: 2020.08.07 08:11:08 -0400

FRANK J. DEL GIUDICE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



**PLEASE NOTE THE FOLLOWING
GENERAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
GENERAL PERMIT
NO. NAE-2020-02036**

1. Other Permits: Permittees must obtain other federal, state, or local authorizations required by law. Applicants are responsible for applying for and obtaining all required state or local approvals. This includes, but is not limited to, the project proponent obtaining a flood Hazard Development Permit issued by the town, if necessary.

10. Navigation:

10(b). There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.

10(c). The permittee understands and agrees that if future U.S. operations require the removal, relocation, or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

21. Storage of Seasonal Structures: Seasonal or recreational structures such as pier sections, floats, aquaculture structures, etc. that are removed from the waterway for a portion of the year (often referred to as seasonal structures) shall be stored in an upland location landward of mean high water (MHW) or ordinary high water (OHW) and not in wetlands, tidal wetlands, their substrate or on mudflats. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is waterward of MHW or OHW. Seasonal storage of structures in navigable waters, e.g., in a protected cove on a mooring, requires Corps approval and local harbormaster approval.

26. Permit On Site: The permittee shall ensure that a copy of this GP and any accompanying authorization letter with attached plans are at the site of the work authorized by this GP whenever work is being performed and that all construction personnel performing work which may affect waters of the U.S. are aware of its terms and conditions. The entire permit authorization shall be made a part of any and all contracts and subcontracts for work that affects areas of Corps jurisdiction at the site of the work authorized by this GP. This shall be achieved by including the entire permit authorization in the specifications for work. The term "entire permit authorization" means this entire GP and the authorization letter (including its drawings, plans, appendices and other attachments) and also includes permit modifications. If the authorization letter is issued after the construction specifications, but before receipt of bids or quotes, the entire permit authorization shall be included as an addendum to the specifications. If the authorization letter is issued after receipt of bids or quotes, the entire permit authorization shall be included in the contract or subcontract. Although the permittee may assign various aspects of the work to different contractors or subcontractors, all contractors and subcontractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire GP authorization, and no contract or subcontract shall require or allow unauthorized work in areas of Corps jurisdiction.

28. Inspections: The permittee shall allow the Corps to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of this GP and any written verification. To facilitate these inspections, the permittee shall complete and return to the Corps the following forms: a) Work-Start Notification Form and b) Compliance Certification Form, when either is provided with the authorization letter. These forms are attached.